

Appl. No. 09/736,899
Reply to Office Action mailed April 23, 2003

Patent
Attorney Docket No. CU-2415

II. REMARKS/ARGUMENTS

A) Summary of the Amendments

Claims 1-28 and 46 have been cancelled, new claims 47-80 having been added to the application. The Applicant respectfully submits that support for new claims 47-80 exists in the specification as originally filed, and that no new matter has been added to the application.

B) Summary of Rejections and Reply

1. Rejection of former claims 2-13 and 16-27 under 35 USC 112

In the Office Action, the Examiner has rejected former claims 2-13 and 16-27 under 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Examiner has stated that in claims 2, 8, 16 and 22 the recitation "if the status of the output device requires cost allocation data, said processing unit is operative to..." renders the claims indefinite and unclear as to how the limitation further limits the claims with respect to cost allocation requirement.

In response to this rejection, the Applicant respectfully submits that the claims of the application have all been revised. In doing so, the Applicant believes to have addressed and overcome the indefiniteness rejection raised by the Examiner with respect to former claims 2, 8, 16 and 22. New claims 47-80 are believed to be in full compliance with 35 USC 112.

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2. Rejection of former claims 1-11, 13-25, 27, 28 and 46 under 35 USC 102

In the Office Action, the Examiner has rejected former claims 1-11, 13-25, 27, 28 and 46 under 35 USC 102(e) as being anticipated by U.S. Patent Application No. 09/769,778 (hereinafter referred to as "Olsen et al."). As will be discussed below, the Applicant respectfully submits that new claims 47-80 distinguish clearly and patentably over the cited art.

New claims 47, 63 and 79

The Examiner's attention is directed to the following limitations of new independent claims 47, 63 and 79.

Claims 47 and 63:

"a processing unit coupled to said input, said processing unit operative to:

...
determine a status of the output device on a basis of said device information, said status including an indication of a cost allocation data requirement of the output device;
process said print job file on a basis of the cost allocation data requirement of the output device, for ensuring that said print job file is in condition for printing by the output device;"

Claim 79:

"processing means coupled to said input means, said processing means operative to:

...
determine a status of the output device on a basis of said device information, said status including an indication of a cost allocation data requirement of the output device;
process said print job file on a basis of the cost allocation data requirement of the output device, for ensuring that said print job file is in condition for printing by the output device;"

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Olsen et al. does not disclose, teach nor suggest the above limitations of independent claims 47, 63 and 79. More specifically, Olsen et al. does not teach or suggest a processing unit operative to determine a status of the output device on a basis of the device information, the status including an indication of a cost allocation data requirement of the output device. Furthermore, Olsen et al. does not teach processing the print job file on the basis of the cost allocation data requirement for ensuring that the print job file is in condition for printing by the output device.

Rather, Olsen et al. describes a system including a document table listing a plurality of print job documents transferred from a plurality of clients of the system, and a user table containing information specifying users of the system that are allowed or disallowed by the plurality of clients to print the print job documents transferred to the document table. A client may consult the user table to determine if a print job document is printed and, in case it has been printed, which users have printed the document (as discussed at paragraph/box 60 of the Olsen et al. patent).

Thus, Olsen et al. describes a system that provides a status of the print job document, i.e. whether or not the print job document has been printed. However, Olsen et al. does not include any discussion or suggestion of determining a status of the output device itself, nor of determining a cost allocation data requirement of the output device and processing the print job file on this basis for ensuring that the print job file is in condition for printing by the output device.

Accordingly, the Applicant respectfully submits that Olsen et al. does not anticipate nor render obvious independent claims 47, 63 and 79, such that claims 47, 63 and 79 are believed to be in condition for allowance.

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New claims 48-62 and 64-78

New claims 48-62 depend either directly or indirectly from new claim 47 and therefore include all of the limitations of new claim 47. Similarly, new claims 64-78 depend either directly or indirectly from new claim 63 and therefore include all of the limitations of new claim 63. Hence, the Applicant respectfully submits that new claims 48-62 and 64-78 are also in condition for allowance.

New claim 80

The Examiner's attention is directed to the following limitations of new independent claim 80:

"A method for controlling the usage of an output device, said method comprising:

...

determining a status of the output device on a basis of said device information, said status including an indication of a cost allocation data requirement of the output device;

processing said print job file on a basis of the cost allocation data requirement of the output device, for ensuring that said print job file is in condition for printing by the output device;"

Since the limitations of independent method claim 80 parallel the limitations of independent apparatus claim 47, new claim 80 is also believed to be in condition for allowance, for the same reasons as stated above with respect to claim 47.

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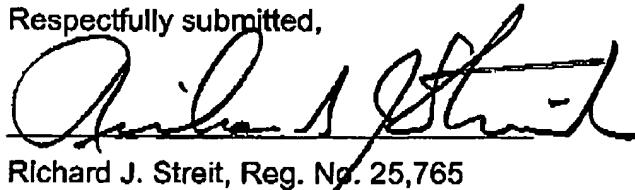
III. CONCLUSION

In view of the foregoing, the Applicant is of the view that new claims 47-80 are in allowable form. Favorable reconsideration is requested. Early allowance of the application is earnestly solicited.

If the claims of the application are not considered to be in full condition for allowance, for any reason, the Applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03 so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,

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Richard J. Streit, Reg. No. 25,765
c/o Ladas & Parry
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300

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